GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department – Sri J.Dharmapal, AEO Visakapatnam Division – Allegations of Corruption harassment, indiscipline and abuse of official power – Preliminary enquiry conducted – Allegation prima facie proved – Disciplinary Proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 – Article of Charges - Issued.

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REVENUE(VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.04 **Dated:02.01.2023**

Read the following:-

G.O.Ms.No.02 Revenue (Vig.II) Dept., dated:02.01.2023

* * * * *

O R D E R:

In continuation of the G.O. read above, it is proposed to hold an enquiry against Sri J.Dharmapal, AEO Visakhapatnam Division, in accordance with the procedure laid down in Rule 20 of the said rules.

2. The substance of the imputations of misconduct or misconduct or misbehavior in respect of which the inquiry is proposed to be held, is set out in the enclosed statement of articles of charge (Annexure-I) and the imputations of misconduct or misbehavior in support of each article of charge, is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained, are also enclosed (Annexure-III & IV).

3. Sri J.Dharmapal, AEO Visakhapatnam- Division is directed to submit within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri J.Dharmapal, AEO Visakhapatnam- Division is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri J.Dharmapal,AEO Visakhapatnam- Division is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri J.Dharmapal, AEO Visakhapatnam- Division is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within

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these proceedings it will be presumed that Sri J.Dharmapal, AEO Visakhapatnam- Division is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNMENT OF ANDHRA PRADESH)

N GULZAR
SECRETARY TO GOVERNMENT

To
Sri Sri J.Dharmapal, AEO Visakhapatnam- Division (w.e. Annexure-I to IV)
through the Chief Commissioner of State Tax, A.P., Kunchanapalli, Guntur
(with a request to serve the order on the individual and send the served copy with dated signature to Government).

Copy to
The Chief Commissioner of State Tax, A.P., Kunchanapalli ,Guntur.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI J.DHARMAPAL, AEO, VISAKAPATNAM DIVISION(NOW UNDER SUSPENSION)

Charge:-I

That one the M/s PSN Sastry, Advocate, (through e-mail letter Dated.02.12.2022) has complained ,Sri J.Dharmapal, AEO, is having nexus with transport companies since four years and supporting them in clandestine business.

Charge:-II

That, one Sri K. Chandri Naidu, NAD Road, Visakhapatnam (through e-mail dt.24-08-2022) has complained that Sri J. Dharmapal, while working as Asst. Executive Officer (Sr.Asst.), O/o the JC(ST), Visakhapatnam, had earned crores of rupees by way of settlement in 50 cases, in the allotted cases of AC(T) (Int.), without verification of books of accounts. (List enclosed to Annexure-III).

Charge-III:-

That, one Sri K. Chandri Naidu, NAD Road, Visakhapatnam (through e-mail dt.24-08-2022) has complained, Sri J. Dharmapal, while working as Asst. Executive Officer (Sr.Asst.), O/o the JC(ST), Visakhapatnam, had been threatening the dealers community by showing fake audit authorizations and settling the gratification in and around two areas i.e., Visakhapatnam and Anakapalli and collected amounts on illegal settlements from certain dealers, during pandemic time.

Thus, Sri J.Dharmapal, AEO,Visakhapatnam- Division, by his above mentioned acts exhibited grave misconduct, lack of integrity, devotion to duty and conduct which is unbecoming of a Government servant and thus violated the provision laid down under rule 3 (1), (2) and (5) of A.P.C.S. (Conduct), Rules, 1964.

N GULZAR
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

(P.T.O)

ANNXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINSTSRI J.DHARMAPAL AEO VISAKAPATNAM DIVISION(UNDER SUSPENSION)

It has been brought to the notice of the Government that, one M/s PSN sastry, Advocate, (through e-mail letter Dated.02.12.2022) has filed a complaint against Sri J. Dharmapal, AEO, Visakhapatnam (now under suspension)

FACTS OF THE EVIDENCE OF CHARGES:-

In the prima facie enquiry it has been revealed that, Sri J. Dharmapal, AEO (now under suspension), is having nexus with transport companies since four years and supporting them in clandestine business.

Further, in another complaint received from Sri K. Chandri Naidu, NAD Road, Visakhapatnam through e-mail dt.24-08-2022 wherein he has alleged that, Sri J. Dharmapal, while working as Asst. Executive Officer (Sr.AsstO/o the JC(ST), Visakhapatnam, (now under suspension), had earned crores of rupees by way of settlement in 50 cases, in the allotted cases of AC(T) (Int.), without verification of books of accounts. (List enclosed to Annexure-III).

Further, in the said complaint, it was alleged that Sri J. Dharmapal, while working as Asst. Executive Officer (Sr.Asst.), O/o the JC(ST), Visakhapatnam (now under suspension), has been threatening the dealers community by showing fake audit authorizations and settling the gratification in and around two areas i.e., Visakhapatnam and Anakapalli and collected amounts on illegal settlements from the dealers during the pandemic time:

(1) Ready-mades, VSP... Rs.40,00,000/-,
(2) Ready-mades, AKP... Rs.25,00,000/-,
(3) Hardware & Paints,... Rs.30,00,000/-,
(4) Gold & Siler, VSP... Rs.90,00,000/-,
(5) Sweets & Hotel... Rs.25,00,000/-,
(6) Cashew Nuts... Rs.20,00,000/- ,
(7) Footwear... Rs.15,00,000/-,
(8) Furniture... Rs.20,00,000/-,
(9) Automobiles... Rs.25,00,000/-,
(10) Iron & Steel (Scrap)...Rs.50,00,000/- .

Thus, Sri J.Dharmapal AEO,Visakhapatnam- Division, by his above mentioned acts exhibited grave misconduct, lack of integrity, devotion to duty and conduct willfully acted in an undisciplined manner, which is unbecoming of a Government servant and thus violated the provision laid down under rule 3 (1), (2) and (5) of A.P.C.S. (Conduct), Rules, 1964 Hence the charge.

N GULZAR
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI J.DHARMAPAL,VISAKAPATNAM DIVISION(NOW UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

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1. Compliant received from the M/s PSN Sastry Advocate, D.No 58-22-48, NAD Kotha Road Visakhapatnam through e-mail dated :02.12.2022.

2. Compliant received from the Sri K. Chandri Naidu, Nad Road, Visakhaatnam through e-mail dt.24-08-2022 (along with list of 50 dealers.)

3. Preliminary report as submitted by Additional Commissioner(ST) O/o RO, Visakhapatnam Ref No 03/Confidential /RO, Visakhapatnam Dt:06.12.2022.

N GULZAR
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

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ANNXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI J.DHARMAPAL, AEO., COMMISSIONER (ST), VISHAKAPATNAM-II DIVISION. (NOW UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

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(1) Sri S. Sekhar, Additional Commissioner (ST), O/o. R.O., Visakhapatnam.

(2) Sri P.S.N. Sastry, Advocate, D.No.58-22-48, NadKotha Road, Visakhapatnam.

(3) Sri K. Chandri Naidu, Nad Road, Visakhaatnam.

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SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

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